

REMARKS

The present application was filed on December 29, 2001 with claims 1-49. Claims 1-49 remain pending. Claims 1, 33-35, 40, 41, 46, 48 and 49 are the independent claims.

In the outstanding Office Action dated May 3, 2006, the Examiner: (i) rejected claim 49 under 35 U.S.C. §101; (ii) rejected claims 1, 3, 4, 17, 34, 35 and 49 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,931,908 (hereinafter "Gerba"); (iii) rejected claims 41 and 42 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0015986 to (hereinafter "Carver"); (iv) rejected claims 46-48 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0016965 (hereinafter "Tomsen"); (v) rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Carver; (vi) rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of U.S. Patent No. 6,240,555 (hereinafter "Scoff"); (vii) rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Scoff and U.S. Patent Publication No. 2005/0273828 (hereinafter "Barton"); (viii) rejected claims 7-10, 12 and 32 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of U.S. Patent No. 6,944,228 (hereinafter "Dakss"); (ix) rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of U.S. Patent No. 6,711,552 (hereinafter "Kay"); (x) rejected claims 13, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Dakss and Carver; (xi) rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Dakss and Carver and U.S. Patent Publication No. 2005-0015796 (hereinafter "Bruckner"); (xii) rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of U.S. Patent No. 6,421,726 (hereinafter "Kenner"); (xiii) rejected claims 19, 36 and 37 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Tomsen; (xiv) rejected claims 20, 22, 23, 25, 26 and 28-31 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of U.S. Patent No. 5,878,141 (hereinafter "Daly"); (xv) rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Gerba in view of Daly and Tomsen; (xvi) rejected claim 24 under 35 U.S.C. §103(a) as being unpatentable over Gerba and Daly in view of U.S. Patent Publication No. 2005/0235318 (hereinafter "Grauch"); (xvii) rejected claim 27 under 35 U.S.C. §103(a) as being unpatentable over Gerba, Daly and Tomsen in view of U.S. Patent Publication No. 2002/0053076 (hereinafter "Landesmann"); (xviii) rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Scoff in view of Daly and Tomsen; (xix) rejected claims 38 and 39 under 35 U.S.C. §103(a) as being unpatentable over

Gerba in view of U.S. Patent Publication No. 2002/0188943 (hereinafter "Freeman"); (xx) rejected claim 40 under 35 U.S.C. §103(a) as being unpatentable over Shoff in view of Daly; (xxi) rejected claims 43-45 under 35 U.S.C. §103(a) as being unpatentable over Carver in view of U.S. Patent Publication No. 2002/008344 (hereinafter "Blasko").

Applicants respectfully request reconsideration of the present application in view of the amendments above and remarks below.

Regarding the objection to claim 41, Applicants have amended the claim as suggested by Examiner to recite additional interactive content.

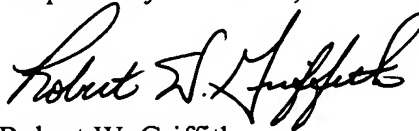
With regard to the §101 rejection, claim 49 has been amended as suggested by Examiner, so that the article now comprises a computer readable medium containing one or more computer programs.

Independent claims 1, 33-35, 40, 41, 46, 48 and 49 have been amended to clarify the subject matter of the claimed invention. Support for the amendments can be found at page 6, line 25 through page 8, line 16 of the Specification, as well as in FIG. 3. The above cited references taken either individually or in any combination fail to teach a multi-service operator having a central system processor operative as a central point of control for interactive television information and commerce services.

Dependent claims 2-32, 36-39, 42-45 and 47 are patentable at least by virtue of their dependency from independent claims 1, 33-35, 40, 41, 46, 48 and 49.

In view of the foregoing, Applicants believe that claims 1-49 are in condition for allowance, and respectfully request withdrawal of the §101, §102 and §103 rejections.

Respectfully submitted,



Robert W. Griffith  
Attorney for Applicant(s)  
Reg. No. 48,956  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560  
(516) 759-4547

Date: August 3, 2006